

Exhibit A

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Attorneys for Plaintiff and the Alleged Classes

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ABANTE ROOTER AND PLUMBING,
INC., individually and on behalf of all others
similarly situated,

Plaintiff,

V.

TOTAL MERCHANT SERVICES, LLC, a
Delaware limited liability company,

Defendant.

Case No. 3:19-cv-05711-EMC

**DECLARATION OF TAYLOR T.
SMITH IN SUPPORT OF
PLAINTIFF'S UNOPPOSED MOTION
FOR EXTENSION OF THE
DEADLINE TO COMPLETE ADR
PROCESS**

Date: TBD

Time: TBD

Judge: Hon. Edward M. Chen

Courtroom: 5

Complaint Filed: September 11, 2019

I, Taylor T. Smith, declare as follows:

1. I am an associate attorney with the law firm Woodrow & Peluso, LLC and an attorney of record for Plaintiff Abante Rooter and Plumbing, Inc. (“Plaintiff” or “Abante”).

2. I certify that Plaintiff's counsel conferred with counsel for Defendant Total Merchant Services, LLC ("Defendant" or "TMS") regarding the requested extension. TMS does not oppose the requested extension.

3. On September 11, 2019, Plaintiff filed the instant action against Defendant alleging wide-scale violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* (“TCPA” or “Act”). (Dkt. 1.)

1. On January 14, 2020, this Court issued its Initial Scheduling Order, which required the Parties to complete an ADR process by July 30, 2020. (Dkt. 37.)

2. On June 26, 2020, following the July 25th case management conference, the Court extended the ADR deadline until August 31, 2020. (Dkt. 50.)

3. Thereafter, the Parties' continued to exchange numerous proposed mediators.

4. Eventually, the Parties agreed to engage in a full-day mediation with the Hon. Edward A. Infante of JAMS.

5. After receiving Judge Infante's availability, the Parties conferred and agreed to attend a mediation session on September 22, 2020, which was the earliest available date that worked for all Parties.

6. Ultimately, the requested extension is necessary to accommodate the currently scheduled mediation.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 28, 2020, in Denver, Colorado.

By: /s/ Taylor T. Smith.

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